

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MICHAEL DESJARLAIS,

Plaintiff,

V.

CAROLYN W. COLVIN,
Commissioner of Social Security
Administration,

Defendant.

No. 1:14-CV-03143-RHW

ORDER GRANTING MOTION FOR REMAND

Before the Court is a Stipulated Motion for Remand, ECF No. 17. The motion was heard without oral argument. Attorney D. James Tree represents Plaintiff and Special Assistant United States Attorney Christopher J. Brackett represents Defendant (“the Commissioner”).

The parties jointly move the Court for an order remanding the above-captioned matter for further administrative proceedings. ECF No. 17 at 1. Based on the agreement of the parties and the record, the Court finds good cause to grant the stipulated motion for remand. Accordingly, the Commissioner's decision is REVERSED and this matter is REMANDED for further administrative proceedings pursuant to sentence four 42 U.S.C. § 405(g). On remand, the Administrative Law Judge ("ALJ") will hold a *de novo* hearing in which Plaintiff may raise any issue and submit additional evidence in support of his claim. The

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1 ALJ will reevaluate all of the opinions of record, include those of Brent Packer,
2 M.D., and give reasons for the weight assigned to each. The ALJ will then reassess
3 the Plaintiff's residual functional capacity and, as appropriate, continue to steps
4 four and five of the sequential evaluation, obtaining supplemental evidence from a
5 vocational expert. Thereafter, the ALJ will issue a new decision. Upon proper
6 presentation, this Court will consider Plaintiff's application for costs and attorney
7 fees under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

8 Accordingly, **IT IS HEREBY ORDERED:**

9 1. The Stipulated Motion for Remand, ECF No. 17, is **GRANTED**.

10 2. The Commissioner's decision is **REVERSED** and this matter is

11 **REMANDED** for further administrative proceedings consistent with this order.

12 3. The District Court Executive shall enter Judgment for Plaintiff and
13 against Defendant.

14 4. All pending motions shall be terminated.

15 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
16 Order, forward copies to counsel, and **close the file**.

17 **DATED** this 1st day of July, 2015.

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19 *s/Robert H. Whaley*
20 ROBERT H. WHALEY
Senior United States District Judge
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